

REMARKS

This Response is submitted in reply to the final Office Action dated October 24, 2005, and the Advisory Action dated February 14, 2006. Claims 10-18 are pending in the application. With this Response, independent claims 10 and 17 have been amended. No new matter has been introduced by any of the changes made to the claims. Thus, entry and favorable reconsideration are respectfully requested. A Request for Continued Examination (RCE) is also included herewith.

I. Response To Claim Rejections

Claims 10-12 and 14-18 stand rejected under 35 U.S.C. §102(e) as being anticipated by Bruhn (U.S. Patent No. 6,256,487, hereafter “Bruhn”). Claim 13 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Bruhn. Applicant traverses the claim rejections noted above for the following reasons.

To expedite prosecution, the Applicants have herein amended independent claims 10 and 17 to further distinguish the present invention from Bruhn. The present invention, as recited in independent claims 10 and 17 (as amended), is directed to a system and method for processing data structured in frames that includes the use of different coding schemes within the same data frame. More specifically, a first portion of data bits and at least one mode bit are channel-coded independently of a particular code mode used for coding the remaining portion of data bits. An important aspect of the invention is that these different coding schemes are used for coding data bits contained within the same data frame that is to be transmitted. Bruhn does not disclose, teach or suggest “*channel-coding a first portion of the data bits and the at least one mode bit independently of the particular code mode, wherein the channel-coded data bits and the source-coded data bits are contained within the same data frame to be transmitted,*” as recited in claims 10 and 17.

Conversely, Bruhn discloses that regardless of the technique used at the transmit side to provide different codec modes, a receiver needs to know in advance the codec mode used by the transmitter in order to process any given block or frame of received data. Bruhn specifically discloses three options for transmitting the codec mode: (1) transmitting a (two-bit) mode indicator from the transmitter to the receiver in conjunction with, or in advance of, the block or frame of data to which it relates; (2) transmitting a request for a particular codec mode to the

transmitter; or (3) transmitting signal quality measurements associated with the downlink channel (i.e., BTS to mobile station link) to the transmitter, which the transmitter then uses to identify an appropriate codec mode (see, Bruhn, col. 6, lines 42-63). In any of these three cases, some type of mode information is exchanged separately between the transmitter and the receiver over the air interface. As seen clearly in Fig. 3(b), regardless of how or when the mode indicator is transmitted, it appears to be coded and transmitted in a separate data frame. Thus, nowhere does Bruhn disclose, teach or suggest channel-coding a first portion of the data bits and the at least one mode bit independently of the particular code mode, wherein the channel-coded data bits and the source-coded data bits are contained within the same data frame to be transmitted.

Independent claims 10 and 17 are believed to be clearly distinguishable over Bruhn for at least the reasons noted above. Likewise, dependent claims 11-16 and 18 are also believed to be distinguishable over Bruhn based on their dependency from independent claims 10 and 17.

II. Conclusion

In light of the above, the Applicants submit that claims 10-18 are in condition for allowance, and as such issuance of a Notice of Allowance is respectfully requested. A Request for Continued Examination (RCE) is also included herewith. The Commissioner is authorized to charge and credit Deposit Account No. 02-1818 for any additional fees associated with the submission of the Response and RCE, including any extension fees. Please reference docket number 112740-218.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY



Peter Zura

Reg. No. 48,196

Customer No.: 29177

(312) 807-4208

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